

Application No.:	09/727,991
Response Dated:	March 29 2007
Reply to the Office Action of:	November 29, 2006

### **REMARKS**

By the foregoing amendment, claims 1, 12 and 17 have been amended. In view of the foregoing amendments and the remarks urged here, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

#### ***35 U.S.C. § 102 Rejections***

The Examiner has rejected claims 1-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,671,757 to Multer, et al. ("Multer"). The Examiner asserts that Multer discloses all of the limitations of claims 1-27.

Applicant has amended independent claims 1, 12 and 17 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, claim 1 has been amended to recite the step of "at said second electronic device, if said first electronic device is not coupled to said second electronic device, automatically determining via said conduit if said third electronic device has a newer version of said first application than the version of said first application located on said first electronic device by communicating with said third electronic device to determine a respective version of said first application on said third electronic device and comparing said respective versions of said first application on said first electronic device and said first application on said third electronic device." Claim 12 has been amended to recite the step of "if said first electronic device is not coupled to said second electronic device, receiving at a third electronic device from a second electronic device over said communication network a request for a newer version of a web clipping application, said request resulting from synchronizing said second electronic device with a first electronic device via a conduit hosted on said second electronic device and determining that said third electronic device has said newer version than the version of said web clipping application located on said first electronic device, said first electronic device coupled to said second electronic device, said conduit assigned to corresponding one of said web clipping application on said first electronic device and said second electronic device and comparing said respective versions of web clipping applications located on said first and said third electronic device." Claim 17 has been amended to recite the step of "at said second electronic device, if said first electronic device is not coupled to said

second electronic device, automatically determining via said conduit if said third electronic device has a newer version of said first application than the version of said first application located on said first electronic device by communicating with said third electronic device to determine a respective version of said first application on said third electronic device\_and comparing said respective versions of said first application on said first electronic device and said first application on said third electronic device.”

The present invention, as recited in independent claims 1, 12 and 17, is directed to a method of updating a plurality of applications on a first electronic device over a communication network which includes a second and third electronic device. In particular, the amended claims recite a conduit which is hosted by the second electronic device and assigned to one of the applications jointly on the first and second electronic device. The conduit acts as a gateway between the second electronic device (commonly referred to as a host device) and a third electronic device (server) and also as a gateway between the second electronic device (host) and the first electronic device (PDA) (see Specification, pages 26-27). The conduit facilitates synchronization of the application even when the PDA is not connected to the network (via a conduit to the communication network) so that, for instance, determining if there is a newer version of the application, occurs via the conduit. Significantly, the amended claims make clear that the conduit searches for newer versions of the application on the PDA only when the PDA is not coupled to the host device (see Specification pages 29-30). Additionally, there is automatic comparison of said the application on the PDA with the application on the server and updating of the applications on the first electronic device occurs if the applications do not match.

By contrast, Multer is directed to a synchronization between the first and third electronic devices. The synchronization occurs between the first and third devices so that a difference engine transfers difference information between the first and third devices. Importantly, only the difference information ( $\Delta$  in the Multer reference) is transferred from the first and third device with the differencing receiver in the first device reconstructing the file from the difference information (see Multer, column 6, lines 3-19). That is, there is no comparison between the applications on the first and third devices. Multer is also applicable only in instances when the

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first and third electronic devices are coupled together. Therefore, Multer does not disclose or suggest the comparing of applications on the PDA and the server.

As mentioned, Multer teaches a differencing transmitter and receiver (or differencing synchronizer). The differencing synchronizer is not hosted on the second electronic device (host in the nomenclature of the present invention). The desktop computer has a device engine (Fig. 9, and columns 11-14) but merely acts as an interface for difference information generated by the Palm device (first electronic device of the present invention). Applicant submits that the device engine does not provide the structures and functions of the conduit as provided for by the present invention.

Since the cited reference does not disclose each and every limitation recited in the amended independent claims, Applicant submits that independent claims 1, 12 and 17 are allowable over the cited reference. Early notice to that effect is earnestly solicited. Claims 2-11, 13-16 and 18-27, by their dependency on independent claims 1, 12 and 17 respectively, are similarly allowable.

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***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

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